THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.5183 of 2004

Dated 17-10-2005

Between:

Nampally Narsimha.

..... PETITIONER

AND

The Assistant Divisional Engineer, Electrical O & M, APCPDC, Nalgonda District, and two others.

.....RESPONDENTS

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.5183 of 2004

O R D E R:

This writ petition is filed seeking a declaration that the alleged action of the respondents in adding extra units of consumption of electricity over and above the actual consumption to the electricity bills of petitioner pertaining to Service Connection No.1474 as illegal and arbitrary.

This Court, while ordering Rule Nisi on 19-03-2004, directed the respondents not to collect extra amount from the petitioner over and above the actual consumption of electricity in respect of the Service Connection-in-question. However, it was made clear that the respondents are at liberty to proceed with the show-cause notice already issued and with the enquiry.

In the counter-affidavit filed on behalf of the respondents, though the averments made by the petitioner have been denied, it is

stated that the petitioner ought to have made a representation before the Divisional Engineer (Operation), Andhra Pradesh Central Power Distribution Company, Nalgonda, raising all the objections, in which event, the same would have been considered and necessary action would have been taken.

Having regard to the facts and circumstances of the case, I am not inclined to express any opinion with regard to the controversy raised by the petitioner, instead I deem it appropriate to dispose of the writ petition granting liberty to the petitioner to raise objections, if any, with regard to the impugned action of the respondents, before the Divisional Engineer (Operation), AP Central Power Distribution Company, Nalgonda, within a period of four weeks from the date of receipt of a copy of this order. In which event, the said authority shall consider the same and pass appropriate orders in accordance with law. Till such time, the respondents are directed not to collect extra amount from the petitioner over and above the actual consumption of electricity in respect of Service Connection No.1474.

The writ petition is accordingly disposed of. No costs.

(**G. ROHINI, J**)

Date:17-10-2005

ghn/klp

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.9990 OF 2005

OPERATIVE PORTION (BY WIRE):

The writ petition is accordingly disposed of with a direction to the first respondent to consider the application dated 23-04-2005 submitted by the petitioner for release of the seized vehicles and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

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(**G. ROHINI, J**)

Date: 28-04-2005

Note:

1. Issue wire at party's costs.
2. Please send the bundle to the Court Masters Section after dispatch of the wire order.

B/o

ghn